

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

RONALD K. PAGE, on behalf of himself and
all others similarly situated,

Plaintiffs,

v.

STATE FARM LIFE INSURANCE
COMPANY,

Defendant.

Civil Action No. 5:20-cv-00617-FB

**DEFENDANT’S UNOPPOSED MOTION FOR LEAVE TO EXTEND TIME TO FILE
ITS REPLY IN SUPPORT OF ITS OBJECTIONS/APEAL OF THE
MAGISTRATE’S REPORT AND RECOMMENDATIONS AND ORDER [DKT. 137]**

1. United States Magistrate Judge Elizabeth Chestney issued her Report and Recommendations as to Plaintiff’s Motion for Class Certification and Order as to State Farm’s Motion to Exclude Plaintiff’s expert on February 10, 2022. [Dkt. 137]. Following receipt of a one-week extension from the Court, State Farm filed its objections to the Report and Recommendations, as well as its appeal of the Order, on March 3, 2022. [Dkt. 142]. Plaintiff filed a response on March 17, 2022. [Dkt. 145]. The time limit for filing a reply is 7 days after the response is filed. *See* Western District of Texas Local Rule CV-7(e).

2. Separately, this Court has also granted the parties’ Joint Motion for Leave to Extend Time to Object to the Magistrate’s Report and Recommendations filed on March 16, 2022 as to State Farm’s Motion for Summary Judgment. In granting that extension request, the Court also found that “given the breadth of the issues pending before the Court, this case should be stayed until such time as the parties have the opportunity to file their objections, if any, to the Report and

Recommendation [as to the Motion for Summary Judgment] and any responses and replies thereto.” [Dkt. 146].

3. Given the stay instituted by the Court in Dkt. 146, the instant Motion may be moot. However, in an abundance of caution, State Farm now seeks leave and respectfully requests a one-week extension of time until March 31, 2022 to file any Reply in further support of its Objections to or Appeal of the Magistrate’s ruling Class Certification and State Farm’s Motion to Exclude Plaintiff’s expert. The parties conferred, and Plaintiff’s counsel does not oppose this request.

4. State Farm seeks this extension given the complexity and breadth of issues before the Court, as well as its need to comply with numerous deadlines in other cost of insurance cases pending nationally against State Farm regarding the same policy form at issue here.

5. For these reasons, and for good cause shown, State Farm respectfully requests the Court grant this unopposed Motion for Leave and allow an extension of time until March 31, 2022 for State Farm to file any Reply in further support of its Objections or Appeal to the Magistrate’s Report and Recommendations and Order [Dkt. 137].

Respectfully Submitted,

/s/ Susan E. Egeland

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**ATTORNEYS FOR DEFENDANT
STATE FARM LIFE INSURANCE COMPANY**

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing document has been served on all counsel of record in accordance with the Federal Rules of Civil Procedure on March 22, 2022.

/s/ Susan E. Egeland
SUSAN E. EGELAND

CERTIFICATE OF CONFERENCE

I hereby certify that on March 22, 2022, I conferred via email with Plaintiff's counsel regarding the substance of this Motion. Plaintiff does not oppose the relief requested as to the extension of time.

/s/ Susan E. Egeland
SUSAN E. EGELAND